



DEPARTMENT OF STATE

Washington, D.C. 20520

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BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

MAY 16 1980

EXPORT/IMPORT
AND
INTERNATIONAL SFGRDS

Mr. James R. Shea
Director of International Programs
United States Nuclear Regulatory Commission
Room 6714 - MNBB
Bethesda, Maryland

Dear Mr. Shea:

This letter is in response to the letter from your office dated March 19, 1980, requesting Executive Branch views as to whether issuance of an export license in accordance with the application hereinafter described would be inimical to the common defense and security of the United States and whether the proposed export meets the applicable criteria of the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978 (P.L. 95-242):

NRC No. XCOM0382 -- Application by Rockwell International for authorization to export to India one specially-designed valve for use in R & D Units, Fuel Reprocessing Division, Bhabha Atomic Research Center. Value of the proposed export is \$1,600.

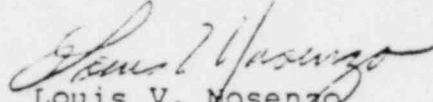
The Executive Branch has reviewed this application and concluded it is not possible to determine that the requirements of the Atomic Energy Act, as amended by P.L. 95-242 have been met and that the proposed export will not be inimical to the common defense and security of the United States. This judgment is based on the fact that the Bhabha Atomic Research Center is not safeguarded and is not covered by the U.S.-India Agreement for Cooperation. Moreover, the export is intended for use in the Reprocessing Division of the Bhabha Center and it is not U.S. policy to provide assistance to foreign reprocessing programs.

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On the basis of the foregoing, the Executive Branch recommends that the license be returned to the applicant without action.

Sincerely,

A handwritten signature in cursive script, appearing to read "Louis V. Mosenzo".

Louis V. Mosenzo
Deputy Assistant Secretary